

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/682,127 Confirmation No. 1350
Applicant : Kirkor Sirinyan
Filed : October 9, 2003
Title : DERMALLY APPLICABLE LIQUID FORMULATIONS FOR
CONTROLLING PARASITIC INSECTS ON ANIMALS
Group Art Unit: 1615
Examiner : NEIL LEVY
Docket No. : LEA 35172

VIA EFS - 08/15/2008

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT DELAYED CLAIM FOR PRIORITY UNDER 35 CFR

§1.55

Dear Sir:

The entire delay in filing the required documents claiming priority to the PCT application until the filing of a grantable petition under 37 CFR 1.55 was unintentional. Applicants have included a showing herein as to how the delay in discovering the fact that the priority was not properly claimed occurred, despite the exercise of due care and diligence on the part of the Applicants.

Patent counsel at the time the application was filed included an English translation of the PCT application, a copy of the PCT application, a transmittal stating that the parent application was PCT/EP02/03619, and a preliminary amendment. An application data sheet was inadvertently never sent to the USPTO and as a Filing Receipt was never received by the Applicants in this case. The first time Patent Counsel noticed that there was a discrepancy with the priority date of the application was upon receipt of Office Action dated June 22, 2007. The Office Action noted that certified copies of the priority documents were never received for this patent application. Since that time, Applicants have worked diligently to prepare and file an appropriate Application Data Sheet dated November 26, 2007 and filed a petition to accept delayed claim for priority at that time.

Applicants however mistakenly claimed the wrong priority at that time and are correcting that matter in the Application Data Sheet dated August 15, 2008, which accompanies this petition. As such, Applicants respectfully request that the Patent Office accept a delayed claim for priority. The Commissioner is hereby authorized to charge the Petition fee of \$1410 to the credit card number included in this transmission and to charge any additional amount required (or to credit any overpayment) to Deposit Account No. 50-4260.

Respectfully submitted,

/JESSICA MONACHELLO/

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